

AO 257 (Rev. 6/78)

E-filing

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

 VIOLATION: 8 U.S.C. sections 1326(a) and
 (b) - Deported Alien Found in the United States

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

 20 years imprisonment; \$250,000 fine; 3 years supervised
 release; \$100 special assessment.

PROCEEDING

 Name of Complainant Agency, or Person (& Title, if any)
 Immigration and Customs Enforcement

☐ person is awaiting trial in another Federal or State
 Court, give name of court

☐ this person/proceeding is transferred from another
 district per (circle one) FRCrP 20, 21 or 40. Show
 District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on
 motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a
 pending case involving this same
 defendant

☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding
 this defendant were recorded under

 SHOW
 DOCKET NO.

 MAGISTRATE
 CASE NO.

 Name and Office of Person
 Furnishing Information on
 THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

James C. Mann, AUSA

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

Marcos Ramirez-Garcia

DISTRICT COURT NUMBER

CR08-0172

DLJ

DEFENDANT

IS NOT IN CUSTODY

- 1) ☐ Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons
 was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☒ Awaiting trial on other charges } ☐ Fed'l ☒ State

If answer to (6) is "Yes", show name of institution

Santa Clara County Jail

 Has detainer } If "Yes"
 been filed? ☐ Yes ☐ No } give date
 filed
DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED
TO U.S. CUSTODY
☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS*

☒ WARRANT Bail Amount: NO BAIL.

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

 *Where defendant previously apprehended on complaint, no new summons
 or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: OAKLAND

E-filing

UNITED STATES OF AMERICA,
v.

MARCOS RAMIREZ-GARCIA,

FILED
MAR 19 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

CR08-0172 DLJ

DEFENDANT.

INDICTMENT

8 U.S.C. §§ 1326(a) and (b) - Deported Alien Found in
the United States

A true bill.


Foreman

Filed in open court this 19 day of
MARCH 2008

Clerk

Bail, \$ No bail arrest warrant.
Wayne D. Brazil 3/19/08

E-filing

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED
MAR 19 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CR08-0172

DLJ

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCOS RAMIREZ-GARCIA,

Defendant.

Criminal No.:

VIOLATION: 8 U.S.C. §§ 1326(a) and (b) --
Deported Alien Found In United States

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

1. Prior to April 26, 2005, defendant MARCOS RAMIREZ-GARCIA was convicted of at least one felony crime punishable by a term of imprisonment exceeding one year.

2. On or about March 25, 1999, February 9, 2002, and April 26, 2005, defendant MARCOS RAMIREZ-GARCIA was removed, excluded, and deported from the United States.

3. After April 26, 2005, defendant MARCOS RAMIREZ-GARCIA knowingly and voluntarily reentered and remained in the United States.

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INDICTMENT

1 4. On or about February 11, 2008, in the Northern District of California, the
2 defendant,

3 MARCOS RAMIREZ-GARCIA,
4 an alien, was found in the United States without having obtained the express consent of the
5 Attorney General or the Secretary of the Department of Homeland Security to reapply for
6 admission into the United States, in violation of Title 8, United States Code, Sections 1326(a)
7 and (b).


8
9 DATED: March 19, 2008

A TRUE BILL

10
11 
12 FOREPERSON

13 JOSEPH P. RUSSONIELLO
14 United States Attorney

15 
16 W. DOUGLAS SPRAGUE
Chief, Oakland Branch

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18 (Approved as to form: 
19 AUSA J.C. MANN
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